THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.NO. 10362 OF 2006

Date: 25.05.2006

Between:

Y. Narisimha Rao

…. Petitioner

and

The State of Andhra Pradesh rep. by its Secretary, Endowments Department, Hyderabad & others.

… Respondents.

O R D E R:

The petitioner states that he is the lessee in respect of Acs.2.00 of land in survey No.474 of Laxmipalem village, Elamanchili mandal, West Godavari district, belonging to the third respondent Devasthanam for the past several years. He challenges the auction notice, dated 16.04.2005, issued by the Devasthanam for the above said land and the other items of land belonging to it. The petitioner states that he is entitled to be treated as a landless poor and continued as a lessee.

Heard the learned counsel for the petitioner and the learned standing counsel for Devasthanam.

As of now, the petitioner is not certified and recognized as a landless poor person in terms of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the Rules made there under. The Devasthanam is under obligation to grant leasehold rights only after conducting public auction. Through the impugned notice, as many as six (6) items are sought to be leased out by way of auction and no exception can be taken to the same.

So far as the petitioner is concerned, his interest can be protected by directing that, in case he is willing to pay the lease amount, which is offered by the highest bidder for that item, he can be granted fresh lease on par with others.

The writ petition is accordingly disposed of. There shall be no order as to costs.

25.05.2006 ksld/rkk